

**COUNTY OF PLACER**  
**Community Development/Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING  
SERVICES DIVISION**

Paul Thompson, Deputy Director

**MEMORANDUM**

**TO:** Honorable Board of Supervisors

**FROM:** Michael J. Johnson, AICP *MJ*  
Agency Director

**DATE:** November 6, 2012

**SUBJECT:** FARMWORKER HOUSING ZONING TEXT AMENDMENTS

**ACTION REQUESTED**

1. Adopt the Negative Declaration prepared for the Farmworker Housing Zoning Text Amendments, and
2. Adopt an Ordinance amending Placer County Code Chapter 17 (Zoning Ordinance), Articles 17.04, 17.06, 17.08, 17.10, 17.12, 17.16, 17.44, 17.46, 17.54, 17.56, and 17.64 pertaining to Farmworker Housing in order to implement State housing law and the County's Housing Element.

**BACKGROUND**

The proposed Zoning Text Amendments are intended to implement State housing law for farmworker housing and the County's Housing Element Program F-4. The proposed amendments to the Zoning Ordinance would add definitions for Farmworker Dwelling Unit, Farmworker Housing Complex, and Agricultural (Farm) Employee. The amendments would delete the current definition for Farmworker Labor Housing and amend the definition of Temporary Dwelling. The existing Caretaker and Employee Housing Section would be revised and a new section, Farmworker Housing, would be created. The proposed amendments would allow farmworker labor housing in six zoning districts that allow farm uses: Agricultural Exclusive (AE), Farm (F), Residential Farm (RF), Forestry (FOR), Timberland Protection Zone (TPZ) and Residential Agricultural (RA), on parcels greater than 2.3 acres in size.

**Farmworker Housing Regulations**

California has enacted Government Code 65580-65589.5 (Housing Element Law) to ensure that the need for farmworker housing is accommodated by local jurisdictions. The Housing Element Law requires an analysis of housing needs specific to special needs populations, including farmworkers (Government Code Section 65583 (a)(7)). The State's Housing Element Law requires an inventory of sites suitable for residential development, including housing for farmworkers (Government Code 65583(a)(3)). Where the sites inventory does not identify adequate sites to accommodate housing for farmworkers, the program shall provide sufficient sites to meet the need with zoning that permits farmworker housing use by right (Government Code 65583(c)(1)(C)).

In addition to the Housing Element Law, the Employee Housing Act (Health and Safety Code Section 17000-17062.5), enables the California Department of Housing and Community Development (HCD) to be the primary enforcement agency for employee housing including farmworker housing. For the purposes of zoning and land use, Section 17021.5 of the Health and Safety Code considers farmworker housing for five, but no more than six farmworkers as a single-family structure and as a residential land use. In addition, Section 17021.6 considers farmworker housing consisting of no more than 36 beds in

group living quarters or 12 units or spaces for farmworkers and their households as an agricultural land use.

Employee housing can be described as a portion or unit of any housing accommodation or structure that is occupied on a temporary, seasonal, or permanent basis by a total of five or more farmworkers, whether or not such an accommodation or structure is maintained in connection with any work or workplace. The housing accommodations can be temporary (not operated on the same site annually and established for one operation and then removed), seasonal (occupied for no more than 180 days in a calendar year) or permanent (occupied more than 180 days).

Housing accommodations include conventional and non-conventional structures and are not limited to: living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobilehome, manufactured home, recreational vehicle, and travel trailers. In addition, farmworker housing units can be maintained in one or more buildings or one or more sites, and on or offsite.

Per the Employee Housing Act, housing accommodations meet the definition of employee housing if the following factors exist:

- The housing is provided by the employer;
- The housing is maintained in connection with any work or place where work is being performed;
- The housing consists of any living quarters, dwelling, boarding house, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations; and,
- The housing is maintained in one or more buildings or one or more sites.

To address State law concerning farmworker housing, the Board of Supervisors added the following program to the Placer County Housing Element to plan for and encourage adequate housing opportunities for farmworkers:

#### **Program F-4: Zoning for Farmworker Housing**

The County shall amend the Zoning Ordinance to ensure that permit processing procedures for farmworker housing do not conflict with Health and Safety Code Section 17021.6 which states that "Any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use designation for the purposes of this section. For the purpose of all local ordinances, employee housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use. No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone." The County shall also ensure that such procedures encourage and facilitate the development of housing for farmworkers.

#### **Placer County Zoning Ordinance**

The Zoning Ordinance currently defines farmworker housing as:

**"Farm Labor Housing"** (land use) means and includes dwellings, mobile homes, rooming and boarding houses and mess halls for farms and agricultural workers employed on land occupied by the owner of the site on which quarters are located. See Section 17.56.090 (Caretaker and employee housing).

The Ordinance also defines caretaker and employee housing as:

**"Caretaker Housing."** Caretaker housing shall be allowed only where the principal commercial, industrial, institutional, agricultural or lumbering use of the site involves operations, equipment or other resources that require twenty-four (24) hour oversight.

**“Employee Housing.”** Employee housing (including farm labor housing) shall be allowed where the site would otherwise qualify for caretaker housing as provided by Subsection (A)(1), and where the subject business, operation or institution proposing employee housing is in a location where other housing is unavailable or infeasible, or in any other situation where the Planning Director determines that employee housing would reduce vehicle trips and/or increase the viability of an agricultural operation.

Under current regulations, the County allows farm labor housing in the Farm (F), Residential Agriculture (RA) and Agriculture Exclusive (AE) zone districts. In each of these districts, a Minor Use Permit is required. However, to be consistent with current State regulations (Health and Safety Code Section 17021.6), no conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone so as to not serve as a constraint to the development of farmworker housing. Accordingly, in order to comply with State law, the County needs to revise the Zoning Ordinance to better define farmworker housing and to allow such facilities to operate as an allowed (by right) agricultural use in identified zoning districts with up to 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household.

#### **PROPOSED ZONING TEXT AMENDMENTS SUMMARY**

Based on the Housing Element Program F-4 as well as Health and Safety Code Section 17021.6, staff is proposing amendments to the Zoning Ordinance text. The proposed language is provided in Attachment 1. The proposed changes to the Zoning Ordinance are shown as **bold underlined** and deleted sections are ~~stricken~~.

The regulations applying to farm labor housing have been removed from the Caretaker and Employee Housing section (Section 17.56.090). A new section, 17.56.095 – Farmworker Housing, has been created. The County is also adding an Agricultural (Farm) Employee definition.

#### **AGRICULTURAL COMMISSION REVIEW**

Staff presented the proposed Zoning Text Amendment to the Placer County Agricultural Commission on June 11, 2012. The Commission recommended that the Planning Commission and Board of Supervisors approve the proposed changes to the Zoning Ordinance to facilitate provision of farmworker housing in the county. The Commission recommended that camping facilities (i.e., bunk tents) be allowed in the Forestry (F) and Timberland Production Zone (TPZ) districts to allow for timber harvesting operations. Limiting the length of time the camping facilities could remain on site to 90 days in these zoning districts was seen as adequate. These changes were incorporated into the draft Zoning Text Amendment.

#### **MUNICIPAL ADVISORY COUNCIL REVIEW**

Staff presented the proposed Zoning Text Amendment to ten Municipal Advisory Councils (MAC) as either an information or action item. The Donner Summit, West Placer, North Tahoe Regional, and Squaw Valley MACs did not request a presentation on the Farmworker Housing ZTA. A summary of the results of each meeting and comments received is provided in Attachment 3.

#### **CORRESPONDENCE**

Two letters regarding the proposed Zoning Text Amendment were received and have been provided in Attachment 4. Several issues were raised regarding fees (such as application or enforcement fees) and enforcement. According to State law, the County must treat farmworker housing as an agricultural use and cannot charge fees for farmworker housing that it does charge for other agricultural uses on a property. Placer County Code Enforcement will be responsible to investigate occupancy term or tenancy violations. Code Enforcement has mechanisms in place to recover the cost of its expenses.

In addition, enforcement issues were raised regarding legitimacy of farmworkers and the 24-month timeframe for the removal of units. Staff has worked with the Agricultural Commissioner to help define “Agricultural (Farm) Employee.” The Agricultural Commissioner will assist the Placer County Planning

Division staff in reviewing and approving the Farmworker Verification Form that is required for permanent farmworker housing. Therefore, due to crop rotations and the cyclical nature of farming, the Agricultural Commissioner believes that a 24-month window for removal of unneeded farmworker housing units or complexes.

Finally, an issue was raised regarding the number of units permitted on a site. To address clarification of the number of units or beds permitted on site, Staff added subsection G to Section 17.56.095 stating that no more than 36 beds in a group quarters or up to 12 farmworker dwelling units or spaces designed for use by a single family or household are allowed on an individual parcel.

### **PLANNING COMMISSION ACTION**

On September 27, 2012, the Placer County Planning Commission voted (6-0-1-0 with Commissioner Sevison absent) to recommend that the Board of Supervisors adopt the Negative Declaration and prepared for the Farmworker Housing Zoning Text Amendments and adopt an Ordinance amending the Placer County Zoning Ordinance as presented. One member of the public spoke at this hearing suggesting the County require a larger minimum parcel size than the 2.3 acres proposed.

### **CEQA COMPLIANCE**

A Negative Declaration has been prepared for this project and has been finalized pursuant to CEQA (Attachment 2). The Negative Declaration was released for public comment on August 6, 2012 and the public comment period ended on September 6, 2012. Based on the environmental assessment, the proposed project is not anticipated to have a significant impact on the environment. The Negative Declaration must be found to be adequate by the decision-making bodies to satisfy the requirements of CEQA, and findings for this purpose can be found at the end of this report.

### **FISCAL IMPACT**

Since most Placer County agriculture is small scale and/or not labor intensive, staff does not expect a significant number of applications for farmworker housing. Therefore, it is expected that there will be a negligible net new General Fund cost associated with the adoption of the Zoning Ordinance amendment. Staff will be required to review farmworker housing verification forms and, if necessary, Code Enforcement will be responsible to enforce the provisions of the ordinance, such as length of occupancy. Costs of enforcement of the ordinance can be recovered pursuant to the Zoning Ordinance's Code Compliance and Enforcement provisions (Section 17.62.090).

### **RECOMMENDATION**

Staff recommends the Board of Supervisors take the following actions:

Adopt the Negative Declaration prepared for the Farmworker Housing Zoning Text Amendments, based upon the following findings:

1. The Negative Declaration has been prepared as required by law. The Project is not expected to cause any significant adverse impacts.
2. There is no substantial evidence in the record as a whole that the project will have a significant effect on the environment.
3. The Negative Declaration for the project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.
4. The custodian of records for the project is the Placer County Planning Division Director, 3091 County Center Drive, Auburn CA, 95603.

Adopt an Ordinance amending Placer County Code Chapter 17 (Zoning Ordinance), Articles 17.04, 17.06, 17.08, 17.10, 17.12, 17.16, 17.44, 17.46, 17.54, 17.56, and 17.64 pertaining to Farmworker Housing in order to implement State housing law and the County's Housing Element based on the following finding:

1. The proposed Zoning Text Amendment related to farmworker housing is consistent with the Placer County General Plan and implements the following General Plan policy:

Program F-4. The County shall amend the Zoning Ordinance to ensure that permit processing procedures for farmworker housing do not conflict with Health and Safety Code Section 17021.6 which states that "Any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use designation for the purposes of this section. For the purpose of all local ordinances, employee housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use. No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone." The County shall also ensure that such procedures encourage and facilitate the development of housing for farmworkers.

**ATTACHMENTS:**

Attachment 1 – Ordinance  
Attachment 2 – Negative Declaration  
Attachment 3 – MAC Meeting Summary  
Attachment 4 – Correspondence  
Attachment 5 – Verification Form (draft)

cc: Paul Thompson - Deputy Director of Planning  
Karin Schwab - County Counsel  
Rebecca Taber - Engineering and Surveying Division  
Laura Rath - Environmental Health Services  
Tim Wegner - Chief Building Official  
Kathie Denton - Health and Human Services  
All MACs

# Before the Board of Supervisors County of Placer, State of California

In the matter of:  
Amendments to Placer County Code  
Chapter 17, Articles 17.04, 17.06, 17.08,  
17.10, 17.12, 17.16, 17.44, 17.46, 17.54,  
17.56 and 17.64 pertaining to Farmworker  
Housing

Ordinance No.: \_\_\_\_\_

The following Ordinance was duly passed by the Board of Supervisors of the County of  
Placer at a regular meeting held \_\_\_\_\_, by the following vote on roll  
call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:  
Clerk of said Board

Chair, Board of Supervisors

\_\_\_\_\_  
Clerk of the Board Signature

\_\_\_\_\_  
Jennifer Montgomery, Chairwoman

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA,  
DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1:** Placer County Code Chapter 17, Article 17.04, Section 17.04.030 is hereby  
amended as follows:

## **17.04.030 Definitions of Land Uses, Specialized Terms and Phrases**

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**“Agricultural (Farm) Employee” means a person who works full or part-  
time (24 hours or more per week) in the service of a bona fide commercial**

agricultural operation(s), as determined by the Agricultural Commissioner, in any of the branches of farming, which includes, but is not limited to:

- Tilling and cultivation of the soil associated with commercial crop production;
- Raising, production, and cultivation of commercial livestock for the production of food and/or fiber;
- Growing and harvesting of any commercial agricultural or horticultural commodities;
- Commercial raising of bees, fur- bearing animals or poultry;
- Preparation and processing of farm products for market; or,
- Timber or forestry operations.

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"Farmworker Dwelling Unit" means a structure which is occupied solely by up to six agricultural (farm) employees or one agricultural (farm) employee and the worker's household. The accomodations may consist of any living quarters, dwelling, boarding house, mobilehome, or manufactured home for long-term occupancy, or a recreational vehicle for temporary occupancy ((no more than thirty (30) calendar days in any one hundred eighty (180) consecutive days)). In the FOR and TPZ zone districts, tents, recreational vehicles or other mobile camping equipment for agricultural farm employees may be used for up to 90 days annually.

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"Farmworker Housing Complex" means a living unit or units for agricultural (farm) employees and their families consisting of up to 36 beds in a group quarters or up to 12 Farmworker Dwelling Units or spaces designed for use by a single family or household. The units may be of an alternative housing type that meet state and federal standards for livability and durability, including manufactured housing, factory-built housing, other forms of prefabricated housing, and dormitory- and barracks-style housing in which residents share common cooking and sanitary facilities. In the FOR and TPZ zone districts, tents, recreational vehicles or other mobile camping equipment for agricultural farm employees may be used for up to 90 days annually.

\*\*\*\*\*

~~"Farm labor housing" (land use) means and includes dwellings, mobile homes, rooming and boarding houses and mess halls for farms and agricultural workers employed on land occupied by the owner of the site on which quarters are located. See Section 17.56.090 (Caretaker and employee housing).~~

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~~"Temporary Dwelling" (land use) means the temporary placement and occupancy of a mobile home, travel trailer, or recreational vehicle as a dwelling while building a permanent dwelling on the same site, or for hardships. The use of a temporary dwelling for caretaker or employee housing is instead~~

included under "Caretaker and employee housing." See Sections 17.56.280 and 17.56.290 for specific use requirements applicable to temporary dwellings. See Section 17.56.090.F for specific use requirements applicable to caretaker and employee housing, and Section 17.56.095 for specific use requirements applicable to farmworker housing.

**SECTION 2:** Placer County Code Chapter 17, Article 17.06, Section 17.06.050.D is hereby amended as follows:

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	RESIDENTIAL				COMMERCIAL							INDUSTRIAL				AGRICULTURAL, RESOURCE, OPEN SPACE						
LAND USE TYPES	RS	RM	RA	RF	C1	C2	C3	CPD	HS	OP	RES	AP	BP	IN	INP	AE	F	FOR	O	TPZ	W	
Residential Uses																						
Emergency Shelter, 61 or more clients (Section 17.56.295)		MUP			MUP	CUP		CUP	MUP		MUP											
Farm-labor housing (Section 17.56.090)			MUP													MUP	MUP					
Farmworker Dwelling Unit (Section 17.56.095)			A	A												A	A	A		A		
Farmworker Housing Complex (Section 17.56.095)			A	A												A	A	A		A		

Key To Permit Requirements	
Allowed use, zoning compliance required (Section 17.06.050)	A
Zoning Clearance required (Section 17.06.050)	C
Administrative Review Permit required (Section 17.06.050)	ARP
Minor Use Permit required (Section 17.06.050)	MUP
Conditional Use Permit required (Section 17.06.050)	CUP
Permit requirements set by Article 17.56	*
Use not allowed	

**SECTION 3:** Placer County Code Chapter 17, Article 17.08, Section 17.08.010.B is hereby amended as follows:

**17.08.010 Agricultural Exclusive (AE)**

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- B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the AE zone as provided by Section 5.030 et seq. (~~Allowable Land Uses and Permit Requirements~~) **17.06.050 (Land use and permit tables)**, subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

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ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
<b>Residential Uses</b>		
Caretaker and employee housing	MUP	17.56.090
Farm labor housing	MUP	
<b><u>Farmworker dwelling unit</u></b>	<b><u>A</u></b>	<b><u>17.56.095</u></b>
<b><u>Farmworker housing complex</u></b>	<b><u>A</u></b>	<b><u>17.56.095</u></b>
Home occupations	C	17.56.120

**SECTION 4:** Placer County Code Chapter 17, Article 17.10, Section 17.10.010.B is hereby amended as follows:

**17.10.010 Farm (F)**

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- B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the F zone as provided by Section ~~17.06.030 et seq., (Allowable land uses and permit requirements)~~ **17.06.050 (Land use and permit tables)**, subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

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ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
<b>Residential Uses</b>		
Caretaker and employee housing	MUP	17.56.090
Farm labor housing	MUP	
<b><u>Farmworker dwelling unit</u></b>	<b><u>A</u></b>	<b><u>17.56.095</u></b>
<b><u>Farmworker housing complex</u></b>	<b><u>A</u></b>	<b><u>17.56.095</u></b>
Home occupations	C	17.56.120

**SECTION 5:** Placer County Code Chapter 17, Article 17.12, Section 17.12.010.B is hereby amended as follows:

**17.12.010 Forestry (FOR)**

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- B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the FOR zone as provided by Section ~~17.06.030 et seq., (Allowable land uses and permit requirements)~~ **17.06.050 (Land use and permit tables)**, subject to the land use permit

shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

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ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
<b>Residential Uses</b>		
Caretaker and employee housing	MUP	17.56.090
<u>Farmworker dwelling unit</u>	<u>A</u>	<u>17.56.095</u>
<u>Farmworker housing complex</u>	<u>A</u>	<u>17.56.095</u>

**SECTION 6:** Placer County Code Chapter 17, Article 17.16, Section 17.16.010.D is hereby amended as follows:

**17.16.010 Timberland Production (TPZ)**

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D. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the TPZ zone as provided by Section 17.06.050 (Land use and permit tables).

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ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
<b>Residential Uses</b>		
Caretaker and employee housing	MUP	17.56.090
<u>Farmworker dwelling unit</u>	<u>A</u>	<u>17.56.095</u>
<u>Farmworker housing complex</u>	<u>A</u>	<u>17.56.095</u>
Home occupations	C	17.56.120

**SECTION 7:** Placer County Code Chapter 17, Article 17.44, Section 17.44.010.B is hereby amended as follows:

**17.44.010 Residential-Agricultural (RA)**

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B. Allowable Land Uses, Permit Requirements and Minimum Lot Area. The following land uses are allowed in the RA zone as provided by Sections 17.06.050 et seq., ~~(Allowable land uses and permit requirements)~~ (Land use and permit tables), subject to the land use permit and minimum lot area shown for each use, any applicable specific standards, and all other applicable provisions of this chapter

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ALLOWABLE LAND USES	LAND USE PERMIT	MINIMUM <sup>(1)</sup> LOT AREA (sq. ft.)	SPECIFIC STANDARDS IN SECTION
<b>Residential Uses</b>			
Farm labor housing	MUP	40 acres	
<u>Farmworker dwelling unit</u>	<u>A</u>	<u>2.3 acres</u>	<u>17.56.095</u>
<u>Farmworker housing complex</u>	<u>A</u>	<u>2.3 acres</u>	<u>17.56.095</u>
Home occupations	C		17.56.120

**SECTION 8:** Placer County Code Chapter 17, Article 17.46, Section 17.46.010.B is hereby amended as follows:

**17.46.010 Residential-Forest (RF)**

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B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the RF zone district as provided by Section ~~17.06.030 et seq.~~, (Allowable land uses and permit requirements) 17.06.050 (Land use and permit tables), subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

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ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
<b>Residential Uses</b>		
<u>Farmworker dwelling unit</u>	<u>A</u>	<u>17.56.095</u>
<u>Farmworker housing complex</u>	<u>A</u>	<u>17.56.095</u>
Home occupations	C	17.56.120

**SECTION 9:** Placer County Code Chapter 17, Article 17.54, Section 17.54.060.B.5 is hereby amended as follows:

**17.54.060 Parking space requirements by land use**

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17.54.060.B.5.

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RESIDENTIAL LAND USES	Number of Parking Spaces Required
Caretaker and employee housing	1 space per dwelling unit
Farm labor housing	As required by MUP or CUP
<b>Farmworker dwelling unit</b>	<b>See Section 17.56.095</b>
<b>Farmworker housing complex</b>	<b>See Section 17.56.095</b>
Home occupations	See Section 17.56.120

**SECTION 10:** Placer County Code Chapter 17, Article 17.54, Section 17.54.080.C is hereby amended as follows:

**17.54.080 Planned Residential Developments (PDs)**

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C. Allowable Land Uses. The following land uses may be allowed in a planned residential development, provided that the conditional use permit authorizing the PD (see Section 17.54.090) shall specify the permitted uses and may restrict the uses allowed to one or more of the uses allowed in the underlying zone to which the -PD combining district is applied.

1. Any use permitted in the zone applicable to the site;
2. Any of the land uses identified by Section 17.06.050(D) (Land Use and Permit Tables) as residential uses or recreational uses, except for ~~farm labor housing~~ **farmworker dwelling units and farmworker housing complexes.** (ZO § 10.060) (Ord. 5126-B).

**SECTION 11:** Placer County Code Chapter 17, Article 17.56, Sections 17.56.090.A, E and F are hereby amended as follows:

**17.56.090 Caretaker and Employee Housing**

When allowed by Sections 17.06.050 et seq., (~~Allowable land uses and permit requirements~~) **(Land use and permit tables)** in the applicable zone, caretaker and employee housing is subject to the requirements of this section. [Note: Except as provided by Subsection F, caretaker and employee housing shall consist of permanent-type construction.]

- A. **Eligibility.** Caretaker and employee housing may be established on the site of another use only as follows:
1. **Caretaker Housing.** Caretaker housing shall be allowed only where the principal commercial, industrial, or institutional, ~~agricultural or lumbering~~ use of the site involves operations, equipment or other resources that require twenty-four (24) hour oversight.

2. **Employee Housing.** Employee housing (~~including farm labor housing~~) shall be allowed where the site would otherwise qualify for caretaker housing as provided by Subsection (A)(1), and where the subject business, operation or institution proposing employee housing is in a location where other housing is unavailable or infeasible, or in any other situation where the Planning Director determines that employee housing would reduce vehicle trips ~~and/or increase the viability of an agricultural operation.~~

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- E. **Removal of Housing Unit.** A caretaker or employee housing unit shall be used no longer than the existence of the principal use of the site that justifies the caretaker or employee unit. Upon termination of the principal use, the unit shall be removed (or in the case of a site-built or apartment-type unit, converted to another approved use) within 45 days after ceasing the principal use.
- F. **Temporary Housing Units.** The use of a mobile home or ~~travel trailer~~ recreational vehicle for caretaker or employee housing is permitted only where necessary for the employees of a ~~timber harvesting or mining~~ operation, or for highway or other temporary construction and is subject to the following requirements.
  1. **Where Allowed.** Temporary dwellings for employees are allowed only for the purposes and in the locations specified by Subsections (F)(2) through (F)(4) (3), on sites that are not zoned RS (single-family residential).
  2. **Timber Harvesting.** ~~The use of a single temporary housing unit in support of timber harvesting operations may be permitted only when the site of the temporary dwelling is in a remote area where permanent housing is not feasible, there is a clearly demonstrated need for the housing, and the site is located in a zone district that permits the timber harvesting operation.~~
  3. **Mining.** The use of a single temporary housing unit for mining purposes may be permitted on or near the property where any mine is located, provided the housing unit is occupied for mining claim assessment purposes and all of the following conditions are found to apply:
    - a. **Location.** The site of the mobile home is located outside the urban areas, as such are defined by Section 17.04.030 (Definitions), and is not zoned RS (single-family residential).
    - b. **Minimum Lot Area.** The lot is five acres or larger.
  4. **Temporary Construction Work.** The use of a temporary dwelling in connection with highway or other temporary construction work may be

permitted only when the construction work will take place outside urban areas where permanent housing is unfeasible and mobile home park, recreational vehicle park, or trailer court space is unavailable.

- 5.4. Time Limit.** Temporary employee housing units shall be removed from their approved site upon completion of the ~~timber harvesting~~, mining, or construction project, or after three years, whichever comes first. The Planning Director may authorize additional time periods for unfinished projects. Upon removal, a temporary housing unit shall be relocated to another approved site, or approved storage yard.

**SECTION 12:** Placer County Code Chapter 17, Article 17.56, Section 17.56.090 is hereby amended to add subsection G as follows:

- G. Maximum Floor Area for Caretaker and Employee Housing.** The maximum floor area allowed shall be based on the area of the lot as follows:

**[Note: "Floor area" as used in this section means the living area of a dwelling, exclusive of any garage or carport, which is measured from the outside surfaces of exterior walls or walls between living areas and a garage.]**

<u>Lot Area of Site (see Section 17.54.010(A))</u>	<u>Maximum Secondary Dwelling Floor Area</u>
<u>Less than 1 acre</u>	<u>640 sq. ft.</u>
<u>1 acre to 2.29 acres</u>	<u>840 sq. ft.</u>
<u>2.3 to 4.59 acres</u>	<u>1,000 sq. ft.</u>
<u>4.6 acres or more</u>	<u>1,200 sq. ft.</u>

**SECTION 13:** Placer County Code Chapter 17, Article 17.56 is hereby amended to add Section 17.56.095 as follows:

**17.56.095 Farmworker Housing**

**When allowed by Section 17.06.050 (Land use and permit tables) in the applicable zone, farmworker dwelling units and farmworker housing complexes are subject to the requirements of this section. Agricultural (farm) employee (farmworker) housing does not include a hotel, motel, bed and breakfast lodging or recreational vehicle park.**

**Farmworker housing provided by the employer and maintained in connection with the work or place where work is being performed must comply with all provisions of Section 17008 (a) of the California Health and Safety Code. Farmworker housing not maintained in connection with any workplace and provided by someone other than an agricultural employer must comply with all provisions of Section 17008 (b) of the California Health and Safety Code.**

Every person, or his or her agent or officer thereof, constructing, operating, or maintaining farmworker housing shall comply with the requirements of this section and all applicable health, safety and building codes and standards.

A. Permit Requirements.

Farmworker housing for agricultural (farm) employees and their families consisting of up to 36 beds in a group quarters (farmworker housing complex) or up to 12 farmworker dwelling units shall be allowed subject to the same fees applicable to an agricultural use. In the event the housing units are converted to some other use, the units shall be subject to all applicable Zoning Ordinance standards existent at the time of conversion.

1. All agricultural farm employee housing must comply with County regulations and permitting requirements which includes, but is not limited to: building construction, sewage disposal, and water supply, prior to occupancy of the housing units.
  - a. No person shall construct, reconstruct, erect, install, relocate or alter any building used for human habitation, building accessory thereto, or other housing accommodations, intended to be used for farmworker housing or any electrical, mechanical, or plumbing equipment or installation in farmworker housing, without first obtaining necessary permits from Placer County.
  - b. Except as otherwise permitted or required by Division 13, Part 1.5 of the Health and Safety Code (State Housing Law), all buildings and structures subject to the State Housing Law shall be constructed in accordance with the requirements contained in Parts 2, 3, 4 and 5, Title 24, California Administrative Codes.
  - c. Construction permits for the permanent installation of the facilities to accommodate mobilehomes and recreational vehicles shall be obtained from the enforcement agency which has responsibility for the enforcement of the Mobilehome Parks Act, Division 13, Part 2.1, of the Health and Safety Code.
  - d. The use of tents, recreational vehicles or other mobile camping equipment for agricultural farm employees shall not occur for more than thirty (30) calendar days in any one hundred eighty (180) consecutive day period. Incidental camping shall be conducted so as to create no health, fire or other safety hazard. For five or more workers, a permit to operate from the California Department of Housing and Community Development (HCD) must be been obtained and maintained (see "E" below).

e. In the FOR and TPZ zone districts, tents, recreational vehicles or other mobile camping equipment for agricultural farm employees may be used for up to 90 days annually.

f. The minimum parcel size for farmworker housing shall be 2.3 acres.

2. Farmworker Dwelling Unit: Housing for up to six agricultural (farm) employees or one farm employee and his household is an allowed use in the RA, RF, AE, F, TPZ, and FOR zone districts.

A farmworker dwelling unit must meet California Code and County minimum dwelling size standards, are subject to the size limits of "D" below, and shall not be subdivided from the primary parcel. At least one parking space per dwelling unit shall be provided.

A farmworker dwelling unit does not need to be located on the site of a qualifying agricultural operation where the farmworkers are employed.

3. Farmworker Housing Complex: A farmworking housing complex is an allowed use in the RA, RF, AE, F, TPZ and FOR zone districts with up to 36 beds in group quarters and 12 units, subject to the size limits of "D" below, designed for use by single families or households. A farmworker housing complex does not need to be located on the site of a qualifying agricultural operation where the farmworkers are employed.

For farmworker housing complexes in group living quarters, such as barracks and bunkhouses, the minimum floor area used for sleeping purposes is 50 square feet for each occupant. At least one parking space per unit or one space per three beds, whichever is more, as well as one space per Farmworker housing complex employee shall be provided.

B. Farmworker Verification.

Permanent farmworker dwelling units and farmworker housing complexes require the completion of a farmworker housing verification form prior to building permit application submittal. The verification form shall include information regarding the housing type, number of dwelling units or beds, length of occupancy, number of occupants, occupants' employment information, and, for farmworker housing for five or more workers, proof that a permit to operate from the California Department of Housing and Community Development (HCD) has been obtained and maintained (see "E" below).

The verification form shall be submitted annually by May 15 of each year to the Planning Services Division Director or his or her designee, in a form acceptable to the Planning Services Division Director, that all the dwelling units or sleeping quarters are being rented to and



occupied by persons who meet the Agricultural (Farm) Employee employment criteria established in Section 17.04.030 ("Agricultural (Farm) Employee").

At a minimum, the verification form must contain the following information:

- a. Entity responsible for housing maintenance and upkeep;
- b. Description of whether the housing will be based on a permanent, temporary, and/or seasonal basis;
- c. Total number of people to be housed on-site at any one time;
- d. Description of the housing, including whether the structures will be permanent and/or temporary, intended as units for families, one person or several persons, and cost of the units and utilities to the workers;
- e. Location(s) of where the employees will work;
- f. Assessment of how much water will be used by the proposed development and description of how water is proposed to be supplied to the housing and how the water system complies with all applicable state and local potable water supply requirements; and
- g. Description of the sewage disposal method, such as septic systems, to be used to service the housing and how the sewage disposal method complies with all applicable state and local potable water supply requirements.

C. Location of Housing.

Farmworker housing shall be located not less than 75 feet from barns, pens, or other structures that house livestock or poultry. The housing must be located off prime and productive agricultural land, unless no other alternative locations exist on site. On parcels adjacent to Residential Multi-Family (RM) or Residential Single Family (RS) zoned property, year-round farmworker housing must be set back a minimum of 200 feet from the property line adjacent to the residential zoning district. Otherwise, farmworker housing shall comply with the setback requirements of the applicable zoning district.

D. Maximum Floor Area for Farmworker Dwelling Unit.

The maximum floor area allowed shall be based on the area of the lot as follows:

[Note: "Floor area" as used in this section means the living area of a dwelling, exclusive of any garage or carport, which is measured from

the outside surfaces of exterior walls or walls between living areas and a garage.]

<u>Lot Area of Site (see Section 17.54.010(A))</u>	<u>Maximum Secondary Dwelling Floor Area</u>
<u>2.3 to 4.59 acres</u>	<u>1,000 sq. ft.</u>
<u>4.6 acres or more</u>	<u>1,200 sq. ft.</u>

**E. Removal of Housing.**

Farmworker housing is subject to removal within 45 days (or converted to another approved use) if the agricultural employment upon which the need for the unit(s) is based is eliminated. This section shall not apply if a showing is made that elimination of the agricultural use for no more than twenty-four months is related to the long-term functioning of agriculture on the site(s) used to establish the housing need (e.g. crop rotation, replanting, disease or the like).

**F. State Reporting Requirements.**

Farmworker housing for 5 or more employees is subject to the permitting requirements of the California Housing Employee Act. The property owner shall obtain and maintain a permit(s) with the State Department of Housing and Community Development (HCD), pursuant to the Employee Housing Act and the California Code of Regulations, Title 25, Division 1, Chapter 1, Sections 600 through 940, prior to occupancy of the housing units. A copy of the HCD permit shall be provided to the Planning Services Director within 14 days of issuance or at the time of building permit application submittal, whichever is earlier.

**G. Number of Housing Units Allowed.**

No more than 36 beds in a group quarters or up to 12 farmworker dwelling units or spaces designed for use by a single family or household are allowed on an individual parcel. The Planning Commission may authorize additional beds or units or a combination of group quarters and farmworker dwelling units through Conditional Use Permit approval (Section 17.58.130), based on the Commission making specific findings that document the necessity for the number of approved units.

**SECTION 14:** Placer County Code Chapter 17, Article 17.64, Section 17.64.090.C., Table 2 is hereby amended as follows:

**17.64.090 Limitations on Land Uses in Agricultural Preserves, Open Space Preserves, or Farmland Security Zones**

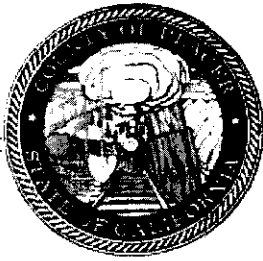
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**TABLE 2**  
**ALLOWABLE COMPATIBLE USES**

\*\*\*\*\*

TYPE OF LAND USE	PERMIT REQUIREMENT BY ZONE					
Residential Uses	RA	RF	AE	F	FOR	O
Caretaker and employee housing			MUP	MUP	MUP	
Farm labor housing	MUP		MUP	MUP		
<u>Farmworker dwelling unit</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	
<u>Farmworker housing complex</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	
Home occupations	C	C	C	C		

**SECTION 15:** This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with government code section 25124.



**COUNTY OF PLACER**  
**Community Development Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**ENVIRONMENTAL  
COORDINATION  
SERVICES**

E. J. Ivaldi, Coordinator

**NOTICE OF INTENT  
TO ADOPT A NEGATIVE DECLARATION**

The project listed below was reviewed for environmental impact by the Placer County Environmental Review Committee and was determined to have no significant effect upon the environment. A proposed Negative Declaration has been prepared for this project and has been filed with the County Clerk's office.

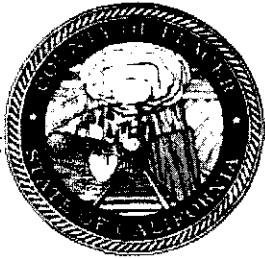
PROJECT: Farmworker Housing Zoning Text Amendment – Housing Element Implementation (PZTA 20110327)

PROJECT DESCRIPTION: The project proposes a Zoning Text Amendment to revise the Placer County Code (Zoning Ordinance) to bring the Code into compliance with State housing law for farmworker housing.

PROJECT LOCATION: Unincorporated Placer County

APPLICANT: Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603

The comment period for this document closes on **September 6, 2012**. A copy of the Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx> Community Development Resource Agency public counter, Tahoe Office, and at the Foresthill, Loomis, Penryn, and Lincoln Public Libraries. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132, between the hours of 8:00 am and 5:00 pm, at 3091 County Center Drive, Auburn, CA 95603.



**COUNTY OF PLACER**  
**Community Development Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**ENVIRONMENTAL  
COORDINATION  
SERVICES**

E. J. Ivaldi, Coordinator

## **NEGATIVE DECLARATION**

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- ☒ The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared.
- ☐ Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

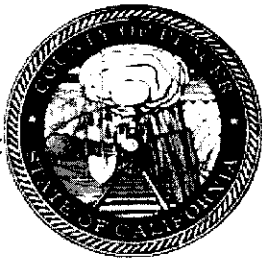
### **PROJECT INFORMATION**

<b>Title:</b> Farmworker Housing Zoning Text Amendment – Housing Element Implementation	<b>Plus#</b> PZTA 20110327
<b>Description:</b> The project proposes a Zoning Text Amendment to revise the Placer County Code (Zoning Ordinance) to bring the Code into compliance with State housing law for farmworker housing.	
<b>Location:</b> Unincorporated Placer County	
<b>Project Applicant:</b> Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603	
<b>County Contact Person:</b> Christopher Schmidt	530-745-3076

### **PUBLIC NOTICE**

The comment period for this document closes on **September 6, 2012**. A copy of the Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx>, Community Development Resource Agency public counter, and at the Foresthill, Loomis, Penryn, and Lincoln Public Libraries. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, please visit our Tahoe Office, 775 North Lake Blvd., Tahoe City, CA 96146.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.



**COUNTY OF PLACER**  
**Community Development Resource Agency**

**ENVIRONMENTAL  
COORDINATION  
SERVICES**

Michael J. Johnson, AICP  
Agency Director

E.J. Ivaldi, Coordinator

3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3003 • [www.placer.ca.gov/planning](http://www.placer.ca.gov/planning)

## INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

### A. BACKGROUND:

Project Title: Farmworker Housing Zoning Text Amendment – Housing Element Implementation	Plus# PZTA 20110327
Entitlements: Zoning Text Amendment	
Site Area: Countywide	APN: Various
Location: Unincorporated Placer County	

### Project Description:

The project proposes to revise the Placer County Code (Zoning Ordinance) to bring the Code into compliance with State housing law for farmworker housing. The proposed Zoning Ordinance amendments will implement Housing Element Program F-4. The amendments are summarized below and Attachment A provides specific language for the amendments.

The proposed amendments to the Zoning Ordinance would add definitions for Farmworker Dwelling Unit, Farmworker Housing Complex, and Agricultural (Farm) Employee. The amendment would delete the current definition for Farmworker Labor Housing and amend the definition of Temporary Dwelling. The existing Caretaker and Employee Housing section would be revised and a new section, Farmworker Housing, would be created. The proposed amendment would allow farmworker labor housing in six zone districts that allow farm uses: Agricultural Exclusive (AE), Farm (F), Residential Farm (RF), Forestry (FOR), Timberland Protection Zone (TPZ) and Residential Agricultural (RA) zoning districts.

The proposed amendments to the Zoning Ordinance would also add a new section for development standards for farmworker housing. A summary of these standards is provided below.

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1. Farmworker dwelling units cannot exceed 1,200 square feet in size and cannot be subdivided from the primary parcel.
2. Minimum floor area for sleeping purposes in group living quarters is 50 square feet per occupant.
3. Requires the completion of a farmworker housing verification form prior to occupancy.
4. Farmworker housing for five or more workers requires a permit to operate from the California Department of Housing and Community Development (HCD).
5. On parcels adjacent to a residential zoning district, year-round farmworker housing must be set back a minimum of 200 feet from the property line adjacent to the residential zoning district.
6. The unit must be at least 75 feet from barns, pens or other structures that house livestock or poultry.
7. Farmworkers do not need to work on the property where the employee housing is located.
8. Must be removed within 45 days (or converted to another approved use) if the agricultural employment upon which the need for the unit(s) is based is eliminated.

No specific housing projects are approved as part of these zoning text amendments. Any farmworker employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household must be deemed an agricultural land use according to State housing law. For the purpose of all local ordinances, this employee housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use.

Agricultural housing that meets the requirements stipulated in Sections 21159.21 and 21159.22 of the Public Resources Code are exempt from project-level environmental review under the California Environmental Quality Act (CEQA). Future farmworker housing complexes and farmworker dwelling units will require appropriate permits and approvals from the Placer County Planning Department, Public Works, Facility Services, Environmental Health, responsible fire agencies, and or/ the CA State Department of Housing and Community Development, as applicable.

After the zoning text amendments are adopted, the County will evaluate specific housing development proposals based on their compliance with the Zoning Ordinance and other codes and ordinances. All farmworker housing must comply with applicable building, health and safety codes.

**Project Site:** County-wide

**B. ENVIRONMENTAL SETTING:**

Placer County is a geographically diverse county. While the western portion of the County contains suburbs of the Sacramento Region, the eastern portion lies within the Lake Tahoe Region. Placer County is one of the fastest growing counties in the state. Between 2000 and 2010, the County's population grew from 248,399 to 348,432. The 2009 Housing Element discusses and provides Program F-4 to address farmworker housing needs in the County.

**C. PREVIOUS ENVIRONMENTAL DOCUMENT:**

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR
- ➔ Community Plans

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division Office, 775 North Lake Boulevard, Tahoe City, CA 96145.

#### **D. EVALUATION OF ENVIRONMENTAL IMPACTS:**

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
  - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
  - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.



**I. AESTHETICS – Would the project:**

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Have a substantial adverse effect on a scenic vista? (PLN)				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)				X
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)				X
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)				X

**Discussion- All Items:**

The proposed amendment would remove current permit requirements that allow for discretionary review by the Planning Department of farmworker housing projects within the County.

The proposed amendments to the zoning ordinance would add new definitions for farmworker housing and where it is allowed, but does not identify specific locations and the type of new development. Therefore, it is not possible to anticipate how development of farmworker housing will potentially impact the existing visual character of unincorporated areas of the County. It is envisioned that farmworker housing structures would be placed near existing roads and at the periphery of productive farmland. Locating the potential farmworker housing in such a manner would minimize the impact to the visual resource of productive farmland and thus would be considered part of the agricultural landscape and would have no impact on agricultural views. To ensure that significant impacts to aesthetic resources do not occur, future development of farmworker housing uses will be in accordance with applicable County standards and guidelines such as setback requirements.

**II. AGRICULTURAL RESOURCES – Would the project:**

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (PLN)				X
4. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland (including livestock grazing) to non-agricultural use? (PLN)				X

**Discussion- All Items:**

Adopting the zoning text amendment will not by itself convert Prime Farmland, Unique Farmland, or conflict with existing zoning for agricultural use or a Williamson Act contract. It is envisioned that structures developed would be placed near existing roads and at the periphery of productive farmland. Proposed development standards require that

the farmworker housing be located off prime and productive agricultural land unless no other locations exist on site. Standards also limit the maximum dwelling floor area based upon parcel size.

### III. AIR QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (APCD)				X
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (APCD)				X
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (APCD)				X
4. Expose sensitive receptors to substantial pollutant concentrations? (APCD)				X
5. Create objectionable odors affecting a substantial number of people? (APCD)				X

#### Discussion- All Items:

The project is a proposed amendment to the zoning code to bring the County's provisions for farmworker housing into compliance with State housing law. The proposed zoning text amendments does not revise, replace or attempt to supersede existing standards and procedures to ensure compliance with State and County codes and policies that pertain to Air Quality. According to State housing law, farmworker housing is deemed an agricultural use and allowed in zone districts where agricultural land use is permitted. Future farmworker housing complexes and farmworker dwelling units will be subject to all applicable County policies for residential projects.

### IV. BIOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)				X
2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)				X
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)				X
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)				X

5. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (PLN)				X
6. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (PLN)				X
7. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (PLN)				X
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X

**Discussion- All Items:**

The proposed amendments to the zoning ordinance would bring the County's provisions for farmworker housing into compliance with the State Employee Housing Act but does not identify the location and type of new development and therefore will not affect biological resources. Farmworker housing complexes and farmworker dwelling units, a non-resource dependant uses, are prohibited from located in Environmentally Sensitive Habitat Areas (ESHAs) per Public Resources Code Section 30240(a). Future farmworker housing projects will be subject to all applicable County codes and policies for residential projects, including General Plan and Community Plan policies that discourage development in environmentally sensitive areas and protect significant ecological areas, habitat resources, watersheds and riparian vegetation.

**V. CULTURAL RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)				X
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)				X
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)				X
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)				X
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)				X
6. Disturb any human remains, including those interred outside of formal cemeteries? (PLN)				X

**Discussion- All Items:**

The proposed amendments to the zoning ordinance would add a definition for farmworker dwelling unit and farmworker housing complex, but does not identify the location and type of new development and therefore it is not possible to determine potential impacts to cultural (historic and archeological) resources. Adherence to applicable County, State, and Federal standards and guidelines related to the protection/preservation of cultural resources will be implemented when a future project is proposed.

**VI. GEOLOGY & SOILS** – Would the project:

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)				X
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)				X
3. Result in substantial change in topography or ground surface relief features? (ESD)				X
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)				X
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)				X
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)				X
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)				X
8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)				X
9. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? (ESD)				X

**Discussion- All Items:**

The proposed amendments to the zoning ordinance would add definitions for farmworker housing but does not identify the location and type of new development and therefore will not affect geologic and soil conditions. Future farmworker housing complexes and farmworker dwelling units will be subject to all applicable County codes and policies for residential projects, including General Plan policies. The proposed amendment does not override construction and safety standards for residential uses. Farmworker housing shall comply with the California State Building code and will require the appropriate approvals from the Engineering Services Department, including the approval of grading permits and geotechnical reports, as applicable.

**VII. HAZARDS & HAZARDOUS MATERIALS** – Would the project:

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)				X
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)				X

3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (APCD)				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EHS)				X
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)				X
8. Create any health hazard or potential health hazard? (EHS)				X
9. Expose people to existing sources of potential health hazards? (EHS)				X

**Discussion- All Items:**

The proposed amendments to the zoning ordinance will not create concerns regarding hazards or hazardous materials. Future farmworker housing development in the county will be subject to hazardous materials regulations and would be required to meet fire safe guidelines. Project-specific health hazards will be evaluated at the time a specific development proposal is made.

**VIII. HYDROLOGY & WATER QUALITY – Would the project:**

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Violate any potable water quality standards? (EHS)				X
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)				X
3. Substantially alter the existing drainage pattern of the site or area? (ESD)				X
4. Increase the rate or amount of surface runoff? (ESD)				X
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)				X
6. Otherwise substantially degrade surface water quality?(ESD)				X
7. Otherwise substantially degrade ground water quality? (EHS)				X

8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)				X
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)				X
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)				X
11. Alter the direction or rate of flow of groundwater? (EHS)				X
12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD)				X

**Discussion- All Items:**

All future development will be subject to County and other agencies' runoff/stormwater and floodplain regulations, permit and approvals, including Placer County's Flood Damage Prevention Ordinance, Stormwater Management Manual, and NPDES Municipal Stormwater Permit, and will comply with all applicable County policies related to hydrology and water quality. Structures shall be located outside of any special flood hazard areas as defined by FEMA or otherwise shown on survey maps of record, subdivision maps, parcel maps, other maps of record, and as identified in special flood zone studies prepared by a California registered civil engineer, geologist, or hydrologist. Per the Flood Damage Prevention Ordinance, if there is no other feasible building site other than within a special flood hazard area and a variance is granted by the Floodplain Administrator, the structure may be located within a special flood hazard area, but shall be elevated and/or flood proofed in accordance with the County Code requirements.

**IX. LAND USE & PLANNING – Would the project:**

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)				X
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)				X
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)				X
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)				X
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)				X
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)				X
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

**Discussion- All Items:**

The project involves updating Placer County Zoning Ordinances pursuant to the adopted 2009 Housing Element. The Housing Element identified that the Placer County Zoning Ordinances needed to be updated consistent with changes in State law and to reduce or remove government constraints to the production of farmworker housing. The proposed amendments to the zoning ordinance would create new definitions for Farmworker Dwelling Unit, Farmworker Housing Complex, and Agricultural (Farm) Employee. The amendment would delete the current definition for Farmworker Labor Housing and amend the definition of Temporary Dwelling. The amendment would delete the current definition for Farmworker Labor Housing and amend the definition of Temporary Dwelling. The existing Caretaker and Employee Housing section would be revised and a new section, Farmworker Housing, would be created. The proposed amendment does not identify the location and size of new development. Amending the Zoning Ordinance does not grant entitlements for any projects. The proposed zoning ordinance amendments are not expected to significantly impact any applicable land use plan, policy or regulation of an agency with jurisdiction over a farmworker housing project, including, but not limited to the General Plan, specific plan, zoning ordinance adopted for the purpose of avoiding or mitigating an environmental effect.

**X. MINERAL RESOURCES – Would the project result in:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)				X
2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

**Discussion- All Items:**

Adopting the proposed amendments to the zoning ordinance will not by itself substantially result in the loss of the availability of mineral resources, particularly mineral (minerals include several different types of aggregate that are used for purposes other than petroleum) resources. All future farmworker housing will be subject to all applicable County codes and policies for residential projects, including General Plan and Community Plan policies that protect known mineral resources reserves from encroachment of incompatible land uses.

**XI. NOISE – Would the project result in:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN)				X
2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)				X
3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)				X
4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X
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**Discussion- All Items:**

The proposed amendments to the zoning ordinance would add definitions for farmworker housing but does not identify the location and type of new development and therefore will not affect noise conditions. Potential noise impacts associated with construction and occupation of farmworker housing would vary on a project-by-project basis. The County's existing Noise Ordinance (Article 9.36 of the County Code) and standards would apply to proposed farmworker housing developments.

**XII. POPULATION & HOUSING – Would the project:**

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)				X
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN)				X

**Discussion- All Items:**

Adopting amendments to the zoning ordinance will not by itself induce substantial population growth in unincorporated Placer County. The proposed modifications may eventually lead to additional housing opportunities. Implementation of the Housing Element Program is designed to address the special needs housing including farmworker housing forecasted for unincorporated Placer County for the 2006-2013 planning period. Without specific details regarding future developments, it is impossible to evaluate inducement of population growth. No aspect of the project involves the displacement of existing housing.

**XIII. PUBLIC SERVICES –** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Fire protection? (EHS, ESD, PLN)				X
2. Sheriff protection? (EHS, ESD, PLN)				X
3. Schools? (EHS, ESD, PLN)				X
4. Maintenance of public facilities, including roads? (EHS, ESD, PLN)				X
5. Other governmental services? (EHS, ESD, PLN)				X



**Discussion- All Items:**

The proposed amendments to the zoning ordinance will not change residential land use designations within the Land Use Element of the Placer County General Plan and / or Community Plans and, therefore, would not in and of itself cause an increase in demand for public services. The proposed modifications may eventually lead to necessitating additional public services such as fire and police protection, schools, and other government services. However, the zoning amendment is targeted to areas where residential/agricultural uses exist and where these public facilities are already in place.

**XIV. RECREATION – Would the project result in:**

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)				X
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X

**Discussion- All Items:**

The proposed amendments to the zoning ordinance do not grant entitlements for any projects. It will not change residential land use designations in the Land Use Element of the Placer County General Plan and, therefore, would not cause an increase in demand for recreational facilities. This amendment could have the indirect effect of allowing new residential units within existing developed areas and some undeveloped agricultural areas. There will not be any significant increase in the use of existing park or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. The project does not include facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

**XV. TRANSPORTATION & TRAFFIC – Would the project result in:**

<b>Environmental Issue</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD)				X
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)				X
3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)				X
4. Inadequate emergency access or access to nearby uses? (ESD)				X
5. Insufficient parking capacity on-site or off-site? (ESD, PLN)				X
6. Hazards or barriers for pedestrians or bicyclists? (ESD)				X

7. Conflicts with adopted policies supporting alternative transportation (i.e. bus turnouts, bicycle racks)? (ESD)				X
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (ESD)				X

**Discussion- All Items:**

The project is a proposed amendment to the zoning code to bring the County's provisions for farmworker housing into compliance with the State Employee Housing Act. The proposed amendments to the zoning ordinance will not directly affect transportation facilities or traffic conditions and does not alter any existing standards or requirements related to transportation and traffic. The nature and extent of local traffic impacts would vary on a project-by-project basis but farmworker housing facilities would largely be ancillary uses to existing uses and would be fairly insignificant. The County has not identified any potentially significant direct or indirect traffic impacts that could result from the proposed amendment.

**XVI. UTILITIES & SERVICE SYSTEMS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)				X
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)				X
3. Require or result in the construction of new on-site sewage systems? (EHS)				X
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)				X
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)				X
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)				X
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)				X

**Discussion- All Items:**

The project, consisting of various amendments to the Zoning Ordinance in order to comply with State law does not propose development that would directly affect utilities and service systems. However, the amendments would indirectly lead to future development in specific zoning districts that may affect utilities and service systems. Future projects would be evaluated at the time of application submittal. For those projects that will not require a discretionary permit and if construction is needed, those projects would be evaluated during the building/grading permit process and be subject to health and safety regulations including water, wastewater, storm water drainage and solid waste disposal. At this early stage, the County has not identified any potentially significant direct or indirect utility and service system impacts that could result from the proposed amendment.

**XVII. GREENHOUSE GAS EMISSIONS** – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant and/or cumulative impact on the environment? (PLN AQ)				X
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (PLN AQ)				X

**Discussion- All Items:**

The proposed amendments to the zoning ordinance do not grant entitlements for any projects. Since no development is anticipated at this time, the specific effects to greenhouse gas emissions would be speculative at this time.

**E. MANDATORY FINDINGS OF SIGNIFICANCE:**

Environmental Issue	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X

**Discussion- All Items:**

The proposed amendments to the zoning ordinance would add a definition for single room occupancy residential hotels but does not identify the location and size of new development. Accordingly, these changes do not authorize specific special needs housing development projects for specific sites. Housing projects undertaken in the course of implementing the revised ordinance will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines. Any indirect impacts associated with future special needs housing construction have already been addressed in the Placer County General Plan EIR and various community plan EIRs.

**F. OTHER RESPONSIBLE AND TRUSTEE AGENCIES** whose approval is required:

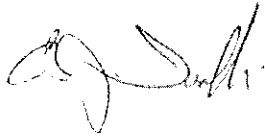
<input type="checkbox"/> California Department of Fish and Game	<input type="checkbox"/> Local Agency Formation Commission (LAFCO)
<input type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input type="checkbox"/> U.S. Army Corp of Engineers
<input type="checkbox"/> California Department of Transportation	<input type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/> _____
<input type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/> _____

**G. DETERMINATION** – The Environmental Review Committee finds that:

Although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because the mitigation measures described herein have been added to the project. A **NEGATIVE DECLARATION** will be prepared.

**H. ENVIRONMENTAL REVIEW COMMITTEE** (Persons/Departments consulted):

Planning Department, Christopher Schmidt, Chairperson  
 Engineering and Surveying Department, Rebecca Taber  
 Engineering and Surveying Department, Wastewater, Janelle Heinzler  
 Department of Public Works, Transportation, Andrew Gaber  
 Environmental Health Services, Laura Rath  
 Air Pollution Control District, Angel Rinker  
 Flood Control Districts, Andrew Darrow  
 Facility Services, Parks, Andy Fisher  
 Placer County Fire/CDF, Bob Eicholtz/Brad Albertazzi



Signature \_\_\_\_\_ Date August 6, 2012  
 E.J. Ivaldi, Environmental Coordinator

**I. SUPPORTING INFORMATION SOURCES:**

The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8 am to 5 pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Suite 190, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division Office, 775 North Lake Boulevard, Tahoe City, CA 96145.

<b>County Documents</b>	<input checked="" type="checkbox"/> Community Plan(s)
	<input checked="" type="checkbox"/> Environmental Review Ordinance
	<input checked="" type="checkbox"/> General Plan
	<input type="checkbox"/> Grading Ordinance
	<input type="checkbox"/> Land Development Manual
	<input type="checkbox"/> Land Division Ordinance
	<input type="checkbox"/> Stormwater Management Manual
	<input type="checkbox"/> Tree Ordinance
	<input checked="" type="checkbox"/> 2009 Housing Element
<b>Trustee Agency Documents</b>	<input type="checkbox"/> Department of Toxic Substances Control
	<input type="checkbox"/> _____
	<input type="checkbox"/> _____
<b>Site-Specific Studies</b>	<input type="checkbox"/> Acoustical Analysis
	<input type="checkbox"/> Biological Study
	<input type="checkbox"/> Cultural Resources Pedestrian Survey
	<input type="checkbox"/> Cultural Resources Records Search
	<input type="checkbox"/> Lighting and Photometric Plan
	<input type="checkbox"/> Paleontological Survey
	<input type="checkbox"/> Tree Survey and Arborist Report
	<input type="checkbox"/> Visual Impact Analysis
	<input type="checkbox"/> Wetland Delineation

		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Engineering & Surveying Department, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input type="checkbox"/> Preliminary Drainage Report
		<input type="checkbox"/> Stormwater and Surface Water Quality BMP Plan
		<input type="checkbox"/> Traffic Study
		<input type="checkbox"/> Sewer Pipeline Capacity Analysis
		<input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		<input type="checkbox"/> Sewer Master Plan
		<input type="checkbox"/> Utility Plan
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Environmental Health Services	<input type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input type="checkbox"/> Phase I Environmental Site Assessment
		<input type="checkbox"/> Soils Screening
		<input type="checkbox"/> Preliminary Endangerment Assessment
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Air Pollution Control District	<input type="checkbox"/> CALINE4 Carbon Monoxide Analysis
		<input type="checkbox"/> Construction Emission and Dust Control Plan
		<input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos)
		<input type="checkbox"/> Health Risk Assessment
		<input type="checkbox"/> URBEMIS Model Output
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan
		<input type="checkbox"/> Traffic and Circulation Plan
<input type="checkbox"/> _____		
Mosquito Abatement District	<input type="checkbox"/> Guidelines and Standards for Vector Prevention in Proposed Developments	
	<input type="checkbox"/> _____	

## MUNICIPAL ADVISORY COUNCILS

MAC	DATE	FARMWORKER ZTA MAC ACTION/SUMMARY
North Auburn	7/10/12	No action; Questioned whether there should be a minimum parcel size required; How long can the units remain on site
Sheridan	7/11/12	Action: Recommended approval. Comment: Concerned this may allow for farm-stay cottages, particularly at wineries; why is this being proposed now
Horseshoe Bar	7/17/12	No action; no comment
Weimar/Applegate/Coifax	7/18/12	Action: abstained from taking any independent action on the Farmworker Housing Zoning Text Amendment proposal vote (5-1)
Newcastle/Ophir	7/19/12	No action Comment: Who defines farmworker; will ID be required; can unit be occupied after farmworker leaves
Penryn	7/24/12	No action Comment: Explore deed restriction for permanent farm worker housing.
Meadow Vista	8/1/12	No action Comment: How is farmworker defined
Granite Bay	8/1/12	No action Comment: Would like map overlay showing all existing agricultural operations in GB area and all Williamson properties in GB area.
Foresthill	8/6/12	No action Comment: Proposed ZTA seems difficult to enforce
Rural Lincoln	8/20/12	Action: Recommend approval Comments: Who enforces? How is farmworker defined? Do event centers qualify? There is a need for this housing

<b>Donner Summit</b>		Not Heard
<b>West Placer</b>		Not Heard
<b>NTRAC</b>		Not heard
<b>Squaw Valley</b>		Not heard



# PUBLIC INTEREST COALITION



September 4, 2012

Attn: Chris Schmidt  
Placer County CDRA  
Auburn, CA

Ladies and Gentlemen:

**RE: Proposed Farmworker Housing Zoning Text Amendment (ZTA)**

We support zoning ordinances that provide safe, healthy, and affordable housing for farm workers, along with policies that prevent substandard housing, retaliatory evictions and/or firings, and environmental degradation. For Placer County to be in compliance with California law, we urge vigilance on the County's part to ensure that the letter of the law is followed and that **full code enforcement is incorporated into the ZTA**. Below are some concerns that we hope the County can consider in creating criteria or stipulations for the Farmworker Housing ZTA:

1—Section 17021.6 (a). The owner of the property must qualify or “intend to qualify for a permit...” in order to operate with the farmworker housing beds or units. It would be helpful to have that qualification and permit be recorded with the assessor's office and be part of the title. If the qualification/permit must be renewed or revisited annually, then that “renewal” should be public record as well (County website perhaps?). An annual fee for processing the annual verification and recording should be required. Should the qualification be inadequate, a fee to cover the County's enforcement and/or follow-up expenses should be a part of the ZTA.

2—(b). To comply with the “permitted occupancy,” the housing shall include “agricultural employees.” Assuming the County Ag Commissioner will determine bona fide commercial agricultural operations(s), how will the agricultural employees labor criteria of 24 hours (“full or part-time”) to qualify as an “ag employee” be verified? The minimum information required on the annual verification form is fine, but the County should have a regular audit or inspection program/process in place to ensure that the tenants are employed in agricultural activities and validate the annual report. The branches of farming listed are fine in principle, but more stringent parameters should be defined due to (a) open ended language (“...includes, but is not limited to:” [listing of “branches of farming”]) and (b) creative interpretations of any vague language—a simple signed statement is insufficient for legitimate verification. The annual verification form submission should include a fee to cover County validation, follow-up, late-filing, etc., costs.

For example: If a tenant lives in farmworker housing on a cattle ranch but works 40+/- hours a week in a fast food restaurant preparing hamburgers (“Preparation and processing farm products for market;”), will that qualify as associated “farm labor”? Or if a tenant lives on a poultry ranch and works 40+/- hours a week in a food facility that serves eggs 24 hours a day, does that qualify? The parameters, as stated, can be stretched or interpreted to cover just about any type of employment to make a connection to “ag employment.”

PUBLIC INTEREST COALITION P.O. Box 713 LOOMIS, CA 95650  
Public-Interest@live.com 916-652-7005

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**ATTACHMENT 4**



We urge a stipulation that if the 24-hour per week minimum of employment is with the housing/ag operator, the work must be performed on the premises of either Ag or Farm zoned lands, or possibly Farmers Markets where products from the employer's operation will be directly marketed. Otherwise, the so-called Ag/Farm operation may become a wholesaler for others with the employee not performing any actual "branches" of farming itself.

We urge the insertion of fees to cover the County's costs to verify off-site farmworker employment. It is unclear if the off-site farmworker employment must be as an employee of the qualifying ag operation/operator, or if the occupants of the rental farmworker housing may work off-site and be employed by others in the "branches of farming" activities.

3—(c). Fees for "normal inspections" must be sufficient enough to cover all costs of enforcement and "verification" procedures to ensure tenants are ag employed. Simply submitting a verification statement is inadequate and unacceptable to ensure compliance. The employer, property owner, and employee/tenant must be subject to rigorous compliance standards, and **substantial fines/penalties must be imposed for violations**. These should probably be stipulated in the ZTA. Otherwise, farmworker housing entitlements may/will become defacto non-compliant or un-permitted land uses.

4—(e). Since the County is obligated to "permit and encourage the development and use of sufficient numbers and types of employee housing facilities **as are commensurate with local need,**" how will "local need" be established? If ag land is lost to development and the "local need" for ag employees (and therefore ag employee housing facilities) decreases, how will the County adjust? Will there be a moratorium on any new farmworker housing permits until the "local need" returns? Conversion to other "approved" uses? "Local need" should be clearly defined and be related to the commercial nature or activities of specific ag or farm operations. Otherwise, "local need" will be hijacked to economically benefit landowners who simply want multiple rental units on their properties.

5—Section 17.56.090—Caretaker and Employee Housing. E. Removal of Housing Unit. When the principal use that justifies the caretaker or employee unit is no longer in existence, the 45-day window for removal or use conversion seems appropriate. However, unless fines and penalties for noncompliance are specified here, and at the time of construction, and with the annual verification review, there is a good possibility that the units may/will become rental units that are not associated with the principal use. We urge strong language ("teeth") be included in the ZTA with constant reminders.

#### **Section 17.56.095—Farmworker Housing**

6—A. Permit Requirements. In the event "the housing units are converted to some other use," along with stated "...park and traffic mitigation fees...immediately due and payable," it would also seem reasonable to require fees for compliance inspections—interior "remodel" work, etc., as well as usual building permit fees that would be required for the new use. Any existing un-permitted alterations should be subject to fees/fines and/or demolition and revocation of the permitted housing units. Annual inspections should be required with fees sufficient to cover County costs.

7—B. Farmworker Verification. Language should be included to allow fee/fine assessments associated with the annual verification submittal to cover County costs of review and/or other consequences for late or non-submittal.

8—D. Maximum Floor Area for Farmworker Dwelling Unit. The 1200 sq ft maximum is quite adequate.

9—E. Removal of Housing Unit. The twenty-four month window when the ag use is eliminated but may résumé (yet the unit may continue to be used as rental property) is far too lenient and invites un-permitted uses. After the two years' window passes, what is to prevent the ag/Farm zoned property owner from planting a crop (or a few vegetables), and whether it fails or not, begin another two-year cycle of non-farming activity with a "stated intention" of resuming operations? A stipulation should be made that if/when the ag use is eliminated, but the intention is to resume an ag use, that the rental units must be vacated for the interim of non-ag use or hiring of farmworkers.

**Clarification Issues**

A "Farmworker Dwelling Unit" will be less than 1200 square feet and may accommodate up to six ag (farm) employees or one ag (farm) employee and his/her household. If each operational Ag/Farm parcel may have up to 12 farmworker dwelling units, does this mean that any qualifying and verified housing with 12 units may accommodate up to 72 workers (six each) or any (unlimited) number of members in a "household"? Thus if a family unit (e.g., multi generational) with 5-6 members each (or more) occupied 12 separate units, it would be accommodating 60 to 70 people (or more) on that parcel. Shouldn't total occupancy numbers be limited?

May an Ag/Farm operation have both Farmworker Dwelling Units (up to 12) and a Farmworker Housing Complex (up to 36 beds)? Or does one preclude the other?

"What if's...?"

We understand that every single situation cannot be covered, but we feel the more obvious, or the situations that may have greater potential for problems, should be addressed. Numerous examples exist of noncompliance situations in Res Ag/Farm and in a few of the other rather "remote" zoned areas. To the extent that these "What if..." situations could be addressed at this point, the better.

**Setback/Buffer Issues.** These may be covered, but if not, they could present problems or conflicts. How will the minimum 200' setback from adjacent residentially zoned property lines be enforced if the zoning is changed on either the adjacent lands or the parcel with the farmworker housing? Will the farmworker housing be "grandfathered" in and be allowed to exist as rental units, with or without further employment verification?

The minimum 75' setback from barns, pens, or other structures that house livestock or poultry is fine, but should there be wording to address housing that may be within 75' of a property line where another landowner constructs such a livestock facility? Possibly the language could state that the minimum 75' setback shall be from barns, pens, or any other structures that house livestock or poultry, and 75' from any property line.

Again, we are not opposed to farmworker housing, but if there is a loophole, history has shown that the unscrupulous will find it. Amendments can be made later to close those, but we urge the County to adopt a ZTA that has the clearest, strongest, and most readily enforceable provisions as possible. "Complaint-Driven" enforcement policies are ineffective (in most all experiences we are familiar with).

Thank you for wading through these comments,



Marilyn Jasper, Chair

## Maywan Krach

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**From:** Chuck-Muriel Davis [chamdavis@yahoo.com]  
**Sent:** Thursday, August 23, 2012 8:09 AM  
**To:** Christopher Schmidt  
**Cc:** Catherine Donovan; Crystal Jacobsen; Maywan Krach  
**Subject:** Re: ZTA Questions---comments on the SRO & FH

Hi Chris,

Thanks for the clarification.

I believe that since the SRO is only required in one zoning district, the planning department is going overboard in proposing that SROs be allowed in RM districts. The planning department could abide by the law and conservatively propose only the Resort & Highway zoning areas.

These SRO units are NOT at all similar in any way to apartments, which by default have bathrooms and kitchens. These SROs are appropriate for the resort zoning because of the need in resort areas, including ski resorts, for dormitory-like housing for their many employees.

The county planning department should be acting conservatively and propose this project for Resort zoning only at this time! By proposing the RM districts for SROs, the county would be unnecessarily impacting a huge number of residents who live near or adjacent to RM districts, and would also negatively impact the property values of those residents.

The county is already struggling with the loss of property values; so it is inconceivable that that a proposal would be presented that would increase the loss of property values.

Please remove the RM zoning area in the proposal for SROs, and protect the residents of Placer County from the possible proliferation of SROs throughout residential neighborhoods.

Regarding the Farmworker Housing(FH) ZTA, I hope you are right that setback requirements and sewer/water requirements will be enforced to prevent FH units on small RA parcels. Variances on the setbacks and other restrictions should not be allowed for these FH units on RA parcels that are smaller than a certain size, such as 4.6 acres.

Please add this email to the comments on the SRO and FH ZTAs.  
Thanks again Chris for answering my questions.

Muriel  
8/23/12  
663-4123

--- On Wed, 8/22/12, Christopher Schmidt <[CRSchmid@placer.ca.gov](mailto:CRSchmid@placer.ca.gov)>, wrote:

From: Christopher Schmidt <[CRSchmid@placer.ca.gov](mailto:CRSchmid@placer.ca.gov)>  
Subject: ZTA Questions  
To: "chamdavis@yahoo.com" <[chamdavis@yahoo.com](mailto:chamdavis@yahoo.com)>  
Cc: "Catherine Donovan" <[CDonovan@placer.ca.gov](mailto:CDonovan@placer.ca.gov)>, "Crystal Jacobsen" <[CJacobse@placer.ca.gov](mailto:CJacobse@placer.ca.gov)>, "Maywan Krach" <[MKrach@placer.ca.gov](mailto:MKrach@placer.ca.gov)>

Date: Wednesday, August 22, 2012, 3:38 PM

Hi Muriel-

Crystal forwarded me your questions regarding the SRO and Farmworker Zoning Text Amendments.

The State did not say which district(s) a municipality must allow for SRO units, but it must allow them in at least one. The County picked the RM zone district because these are basically small apartments, but may lack bathroom and/or kitchen facilities. By definition, the SRO complex must contain at least five units, so it is 'multi-family.' We also selected the Resort and Highway Service zones because this is where motels are typically located. Motels are the type of property we believe are most likely to be converted to SRO units.

You are correct about "SRO Residential Hotel" being confusing. In many communities that is what they are known as. We are going to drop the "hotel" portion and are now calling these "Single Room Occupancy Residential Housing Units."

State housing law says we have to allow farmworker housing in any zones that we allow farming. We have to treat it as an allowed agricultural use. The farmworker housing may not be appropriate for small parcels and we think it will be self-regulating. Owners will need to be able to provide adequate water and sewer facilities and that may be difficult on the smaller parcels. We also don't think there will be a rush of these units or complexes but will keep an eye on things for problems and issues and can revisit some standards in the future. But by law we need to allow them on RA-zoned parcels.

Thanks for your great questions!

Chris Schmidt

Placer County Planning

530.745.3076

# Farmworker Housing Verification Form

## Placer County Planning Services Division

3091 County Center Drive, Auburn CA, 95603

Phone: 530.745.3000 – Fax: 530.745.3080

Please fill in each blank. This information is necessary to determine whether or not you qualify for this program and will be used only for that purpose. This form must be completed annually and submitted to the above address by May 15.

### 1. Property Owner Information

Name:

Address:

Telephone:

APN:

Email:

Are you an Agricultural Employer? ☐ Yes ☐ No

Is Owner Responsible for Housing Maintenance and Upkeep? ☐ Yes ☐ No

### 2. Farmworker Housing Information

Address of Housing:

APN:

Type of Facility: ☐ Farmworker Dwelling Unit ☐ Farmworker Dwelling Complex

Housing Accommodation:

☐ Single-Family Dwelling

☐ Manufactured Home

☐ Multi-Family Dwelling

☐ Recreational Vehicle

☐ Boarding House

☐ Travel Trailer

☐ Bunkhouse

☐ Tent

☐ Mobile Home

☐ Other Housing Accommodation, Please specify:

Number of Dwelling Units:

Number of Beds (group housing only):

Occupancy Type: ☐ Permanent

☐ Temporary, Occupancy Term: \_\_\_\_\_

Estimated Water Usage/Day:

Sewage Disposal Method: ☐ Sanitary Sewer ☐ Septic

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**3. Occupant Information**Facility Houses: ☐ Farmworkers Only ☐ Farmworkers and Their Household

Total Number of Farmworkers Housed:

Total Number of Family Members Housed:

Adults (age 18+) Full Name	Date of Birth	Sex	Relation to Head of Household	Place of Employment/Occupation/Contact Person/Phone Number	Employment Term
			Head of Household		

Children (under 18) Full Name	Date of Birth	Sex	Relation to Head of Household	Name/School Location

*Additional pages may be added if necessary.***4. Permit From the State Department of Housing and Community Development (HCD)  
(required for farmworker housing for five or more workers)**

Facility ID: \_\_\_\_\_

*Attach copy of HCD permit to operate employee housing facility to this verification form.***5. Affidavit**

I/We the undersigned state:

I am/We are the owner(s) of the real property described above and the permittee.

Executed on \_\_\_\_\_, 20\_\_\_\_\_.

I/We declare under the penalty of perjury that the foregoing is true and correct.

Owner Signature: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

*Placer County Use Only:*

Date Received: \_\_\_\_\_

Agricultural Commissioner Approval: \_\_\_\_\_ Date \_\_\_\_\_

Planning Services Division Approval: \_\_\_\_\_ Date: \_\_\_\_\_